

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

ROBERT STEVEN ELLIOTT II,

Petitioner,

vs.

2:20-CV-00567-DHU-LF
2:16-CR-00198-DHU-LF-1

UNITED STATES OF AMERICA,

Respondent.

**ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

The Magistrate Judge filed her Proposed Findings and Recommended Disposition (“PFRD”) on July 28, 2023. Doc. 32. The proposed findings notified the parties of their ability to file objections within fourteen (14) days and that failure to do so waived appellate review. *Id.* at 12. To date, neither party has entered an appearance or filed objections.

Wherefore,

IT IS HEREBY ORDERED AS FOLLOWS:

1. The Magistrate Judge’s Proposed Findings and Recommended Disposition (Doc. 32) are ADOPTED;
2. Petitioner Robert Steven Elliott II’s sentence is CORRECTED: Mr. Elliot shall serve a 270-month sentence on each count for which he was convicted, to run consecutively;
3. All other claims raised by Petitioner in his Motion to Vacate under 28 U.S.C. § 2255, filed June 10, 2020 (Doc. 1), are DISMISSED WITH PREJUDICE; and
4. A Certificate of Appealability is DENIED.

A handwritten signature in black ink, appearing to read "Paul H. Van", is written over a horizontal line.

UNITED STATES DISTRICT JUDGE